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¶ By the King.

¶ A Proclamation concerning Tobacco.

WHereas Our Commons, assembled in Our last Sessions of Parliament, became humble Petitioners vnto Vs, That, for many waighty reasons, much concerning the welfare of Our Kingdome, and the Trade thereof, We would by Our Royall power, vtterly prohibite the vse of all forreigne Tobacco, which is not of the growth of Our owne Dominions; And whereas we haue vpon all occasions made knowen Our dislike, we haue euer had of the vse of Tobacco in generall, as tending to the corruption both of the health and manners of Our people, and to that purpose haue at seuerall times heretofore prohibited the planting of Tobacco, both in England and Wales, as vtterly vnfit, in respect of the Climate, to cherish the same for any medicinall vse, (which is the onely good to bee approoued in it;) And at other times haue also prohibited the disorderly Trading for Tobacco, into the parts beyond the Seas, as by Our seuerall Proclamations, published to that purpose, it may appeare. Neuertheleſſe, because wee haue beene earnestly and often importuned by many of Our louing Subiects, Planters and Aduenturers in Virginia, and the Sommer Islands, and lately by Our Commissioners for Virginia, that we would be pleased to take into Our Royall care that part of Our Dominions, by Our Royall authoritie, and by the industrie of Our loyall Subiects, added to the rest of Our Empire, for the propagation of Christian Religion, and the ease and benefite of this populous Realme, and to consider, that those Colonies and Plantations, are yet but in their infancie, and cannot be brought to maturitie and perfection, vnleſſe We will bee pleased for a time to tolerate vnto them the planting and venting of the Tobacco, which is, and shall be of the growth of those Colonies and Plantations; We, taking into Our Princely consideration these, and many other important reasons of State, haue beene graciously pleased to condescend to the desires and humble petitions of Our louing Subiects in this behalfe.

And therefore we doe by these presents straitly charge and command, That no person whatsoeuer, of what degree or qualitie soeuer, doe at any time hereafter, import, or cause to be imported from any part beyond the Seas, or out of Our Kingdome of Scotland, into this Our Realme of England, or Dominion of Wales, or into Our Realme of Ireland, any Tobacco, which is not of the proper growth of the Plantations of Virginia, and the Sommer Islands, or one of them, vpon paine of forfeiture vnto Vs of all such Tobacco so to be imported, contrary to the true meaning of these presents, in whose hands soeuer the same shall be found, and vpon such further paines and penalties, as by the Lawes and Statutes of these Our Realmes, or by the seuerity or censure of our Court of Starre-chamber, in either of those Kingdomes respectiuely, may be inflicted vpon the Offendors, for contempt of this Our Royall command, and to be reputed and taken as enemies to Our proceedings, and to those Plantations which so much concerne Our honour, and the honour and profit of these Our King-

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domes. And we further will and command, vpon the penalties aforesaid, that from henceforth, no person or persons whatsoeuer, presume to sow, set, or plant, or cause, or permit, or suffer to be sowed, set, or planted, in any of his or their grounds, any Tobacco whatsoeuer, within these Our Realmes of England, or Ireland, or Dominion of Wales, or any Iles or places belonging thereto, or permit or suffer any old stocke, plant, or root of Tobacco formerly set, sowed, or planted there to continue, not plucked vp and vtterly destroyed, contrary to the tenour and true meaning of a former Proclamation, made and published by Us to that purpose, bearing date the thirtieth day of December, in the seuenteenth yeere of Our Reigne of England.

And wee further straitly charge and command, vpon the paines and penalties aforesaid, That no person whatsoeuer, presume to buy, or sell any Tobacco, which from henceforth shall be imported, or brought from any the parts beyond the Seas, or from Our Realme of Scotland, which is not, or shall not be of the proper growth of the Colonies aforesaid, of Virginia, and the Sommer Islands, or one of them. And because wee vnderstand, that some, who intend their owne priuate, more then the publique, conceiuing it to be probable, that we would grant the petition of Our Commons in Parliament, to preuent the effect thereof, haue lately imported secretly, and by stealth, great quantities of forreigne Tobacco, for which they haue payd no Subsidie or other duety vnto Us; we further will and command, vnder the paines and penalties aforesaid, that no person whatsoeuer, from, and after the fiue and twentieth day of March, now next ensuing, presume to sell, or offer, or put to sale within these Our Realmes or Dominion, any Tobacco, which hath beene formerly imported into this Realme, which is not of the proper growth of the Colonies, or Plantations aforesaid, or one of them, nor that any person whatsoeuer, willingly and knowingly, take, or vse any Tobacco, from, and after the first day of May, now next ensuing, which is not, or shall not be of the proper growth of the sayd Colonies, or Plantations, or one of them. Yet, because the said forreigne Tobacco may not lie on the hands of the owners thereof, wee are graciously pleased, that at any time, within fortie dayes after the sayd fiue and twentieth day of March, such forreigne Tobacco may be freely exported by any person whatsoeuer, without paying any Subsidie or other duetie for the same. And because no man shall pretend ignorance, and thereby endeuour to excuse his offence in any of the premisses; wee doe further charge and command, and doe hereby signifie and declare Our will and pleasure to be, that all, and euery person and persons, Merchant or other, who vseth to sell, or hath any purpose to sell Tobacco, who haue in his, or their hands, custodie or possession, or in the hands, custodie or possession of any other by their deliuery, or to their vse, any Tobacco heretofore imported into this Our Realme, or planted, set, or sowen within this Realme, shall before the twentieth day of October, now next comming, bring the same into Our Custome-house, within Our Citie of London, if such Tobacco be within fiue miles of Our said Citie, or if such Tobacco be in any other Citie, Towne, or place, within this Our Realme of England, or Dominion of Wales, or Realme of Ireland, shall bring the same to the Towne-house, or other fit place, which shall be to that purpose appointed by Us, in that City or Corporate Towne, neerest vnto which the said Tobacco shall be, and shall before the first day of December, now next comming, there require and cause the same to be Marked and Sealed by such person or persons, and with such Seale and Marke, as we shall thereunto assigne or appoint for that purpose, without giuing any fee or allowance for the said Seale or Marke, and whatsoeuer Tobacco shall not be Sealed or marked, as aforesaid, within the seuerall times aforesaid, shall be confiscate & forfeited vnto Us for such their default and contempt. And for the auoyding of all deceit and abuse in disguising of forraigne Tobacco, or mingling the same with the Tobacco of Virginia, or the Sommer Islands, thereby to defraud the true intent of these presents, we further straitly charge and command, vnder the paines and penalties aforesaid, That no person, who is, or shall be a seller of Tobacco, shall haue, or keepe ready cut, aboue the quantitie of one pound of Tobacco at once, nor shall min-

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gie any forraigne Tobacco, with any Tobacco of the growth of the Sommer Islands or Virginia.

And Wee straitly charge and command, that all the planters of Tobacco in the Colonies aforesaid, or any part thereof, shall make the same good, and merchantable, and shall not presume to send ouer into this our Realme of England, any Tobacco, which shall not be good and merchantable, and well made vp in rolle without stalkes, or other bad or corrupt stuffe, vpon paine of confiscation thereof, or so much thereof, as vpon due triall made, shall be found to be otherwise, to the intent that such of Our Subiectes, as shall desire to vse the same, may not be abused, or deceiued therewith, to the impairing of their health. And to the intent that the Tobacco of the Colonies, and Plantations aforesaid, thus tolerated by Us, may be knowen and distinguished, from such as shall bee secretly, and without warrant brought in by stealth; Wee doe likewise straitly charge and command, vpon the paines and penalties aforesaid, That all such Tobacco, as shall bee brought from the Colonies aforesaid, shall be all brought, and landed at the Key of our Custome house, in Our citie of London, and not elsewhere, in any of Our Realmes or Dominions, and shalbe there registred, & shall not be remooued from Our said Custome house, vntill it shall bee there first tryed, sealed, and marked, by such person, or persons, & with such seale or marke, as We shall thereunto assigne and appoint; such seale or marke to bee set thereto, without Fee, or other reward whatsoeuer. And Wee doe further straitly charge and command, vpon the paines and penalties aforesaid, That all owners of ships, bee carefull to imploy such masters in their ships, or other vessels, from whom they will take good caution, not to offend in the importation of any Tobacco, contrary to this our Royall pleasure. And We do further signifie and declare by these presents, that We will require an exact accompt of the master of euery ship, or other vessell, that he shall make such diligent, and carefull search, ouer the marriners and passengers in his ship, or other vessell, that none of them shall conueigh ouer into these Our Realmes of England, or Ireland, or dominion of Walles, or into any Port, Hauen, Creeke, or other parts thereof, any Tobacco, to be imported, contrary to the true intent and meaning of these presents: And that Our Customers, or their deputies, in euery Port of these our Realmes of England, and Ireland, shall, vpon oath, examine euery Master of a ship, or other vessell, or other Officers and Mariners in the said ship, or vessell, whether they haue made search in the said ship or vessell, for Tobacco, and whether any Tobacco bee in the said ship, or vessell, to their knowledge, and whether any Tobacco were laden in the said ship or vessell, and bee taken out thereof, and what is become of the same: And if any Master of a ship, or other vessell, shall wilfully, or negligently permit, or suffer any Tobacco to be imported, or shall otherwise offend, contrary to these presents, euery such Master (because it is in his power to preuent the same) shall also be answerable vnto Us for his contempt herein, and shall be subiect, & lyable to all the paines and penalties aforesaid, aswell as if he himselfe had actually and purposely committed the said offence. And whereas We are informed, that some traders in Tobacco, doe vse to import Tobacco in forreigne Bottomes; Wee strictly charge and command, that no person whatsoeuer, either Stranger, Denizen, or naturall borne Subiect, presume to import any Tobacco whatsoeuer, in any forreigne bottome, at any time hereafter, vpon paine of confiscation, not onely of the said Tobacco, but also of the ship, or vessell, wherein the same is so imported, and vpon the other paines and penalties aforesaid.

And for the better execution of Our pleasure herein, We doe hereby command all and singuler Customers, Comptrollers, Searchers, Wayters, and other Officers, attending in all, and euery the Ports, Creekes, or places of lading or vnlading, for the taking, collecting, or receiuing of any of our Customes, Subsidies, or Duties, to take notice of this Our pleasure: And We do hereby command, and giue power and authoritie vnto them, and euery of them, from time to time, aswell to search any shippe, or other vessell, or bottome, ryding, or lying within any Port, Hauen, or Creeke, within their seuerall charge of attendance, for all Tobacco imported, contrary to the intent of this Our Royall

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Proclamation; and the same being found, to seize and take to Our vse, and also to take notice of the names, and apprehend the bringers in and buyers of the same, to the end they may receiue condigne punishment for their offences, vpon payne, that euery of the said Officers, which shall bee found negligent, remisse or corrupt therein, shall lose his place and entertainement, and vndergoe such paines and penalties, as by Our Lawes, or by the censure of Our said Court of Starre-chamber, may be inflicted vpon them for the same.

And we doe likewise, Will, Ordaine, and appoint, that it shall and may bee lawfull, for such person or persons, as shall be thereunto authorized and appointed, by him, or themselues, or his, or their Deputy or Deputies, with a lawfull Officer to search any shippe, or other vessell, and to enter into any shoppe, house, seller, Warehouse, or other suspected places, at lawfull and conuenient times, and there to search, discouer, and find out any Tobacco, imported, vttered, sold, or vented, or to be vttered, sold, or vented, not marked or sealed as aforesaid, contrary to the true meaning hereof, and all such Tobacco so found, to seize, take away, and dispose of, and the owners thereof, or in whose custodie the same shall be found, to informe and complaine of, to the end they may receiue punishment, according to our p'easure before herein declared.

And further, we doe by these presents, will and require all and singuler Mayors, Sheriffes, Justices of Peace, Bayliffes, Constables, Headboroughs, Customers, Comptrollers, Searchers, Wayters, and all other Our Officers and ministers whatsoeuer, That they, and euery of them, in their seuerall places and Offices, be diligent and attendant in the execution of this Our Proclamation, and also ayding and assisting vnto such person and persons, and his and their Deputies and Assignes, as We shall so, as aforesaid, authorize & appoint, aswell in any search for discouery of any act, or acts to be performed contrary to the intent of these presents, as otherwise, in the doing or executing of any matter or thing, for the accomplishment of this Our Royall command. And further Our will and pleasure is, and wee doe hereby charge and command Our Atturney generall, for the time being, to informe against such persons in our Court of Starre-chamber, from time to time, whose contempt and disobedience against this Our Royall command, shall merit the censure of that Court, and to prosecute euery such information speedily and effectually, vntill the same shall bee brought to sentence. And Our pleasure and command is, that all the Tobacco which vpon any seizure shall become forfeited, shall bee brought to Our Custome house, next adioyning to the Port, or place where the same shall be seized, where the seizor thereof shall deliuer the same to Our vse, and the same shall be forthwith burnt, consumed, and destroyed; but the offendour, before he be discharged, shall pay to the partie, who seized the said Tobacco, the one halfe of the true value thereof: And that such person or persons, whom wee shall appoint, specially by Our Priuie Seale, to take care and charge of the execution of Our pleasure in the premisses, shall haue the one halfe of all the Fines, to bee imposed vpon euery offendour against this Our Proclamation, for their encouragement to bee diligent and faithfull, in, and about the performance of that seruice, we shall so commit vnto them.

Giuen at Our Honour of Hampton Court, the nine and twentieth day of September, in the two and twentieth yeere of Our Reigne of England, France, and Ireland, and of Scotland the eight and fiftieth.

God saue the King.

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